

SOUTHINGTON INLAND WETLANDS AGENCY
Regular Meeting
Thursday, March 4, 2010
7:00 pm - Town Hall Council Chambers
75 Main Street, Southington, Connecticut

MINUTES

The Southington Inland Wetlands Agency held a public hearing & regular meeting on Thursday, March 4, 2010. Chairperson Theresa Albanese called the meeting to order at 7:00 o'clock, p.m.

The following Commissioners were present, viz:

James Sullivan, Chris Borowy, Ted Cabata, Kevin Conroy & Anne Hulick

Alternates: William Camp
Richard Post

Ex-officio members present were as follows, viz:

David Lavallee, Assistant Town Planner
Louis Martocchio, Assistant Town Attorney

Absent: John DeMello, Commissioner

The Chair seated Mr. Camp for Mr. DeMello this evening. A quorum was determined.

PUBLIC HEARING

4. Public Hearing Items:

A. Map Amendment MA #135, application of Central CT Contracting seeking to amend the Southington Inland Wetlands Maps to include the findings of Soil Scientist Cynthia Rabinowitz, property located at the end of Smoron Drive, Map 156, 144 & Parcels 006 and 001.

The Ass't Town Planner noted the applicant's representation is here at the moment. We should move the item further along in the Agenda to give them an opportunity to speak during public hearing.

Mr. Conroy made a motion to move the public hearing item after Item 9 on the Agenda. Mr. Sullivan seconded. Motion passed unanimously on a voice vote.

(The public hearing was recessed at 7:03 o'clock, p.m.)

REGULAR MEETING

THERESA ALBANESE, Chair, presiding:

Appointment of Treasurer

Mr. Sullivan made a motion to nominate Commissioner Cabata for the position of Treasurer. Mr. Conroy seconded.

Mr. Cabata accepted the nomination.

Motion passed unanimously on a voice vote.

Approval of Minutes: Regular Meeting of February 4, 2009

The Chair noted a correction. It references the meeting as January 9th and it should be January 7th.

Mr. Sullivan made a motion to accept the Minutes from February 4, 2010 as submitted. Mr. Borowy seconded. Motion passed unanimously on a voice vote.

Special Meeting of February 20, 2010

Mr. Borowy made a motion to approve as presented. Mr. Camp seconded. Motion passed unanimously on a voice vote.

Treasurer's Report

Mr. Cabata gave the Treasurer's report to date. Mr. Conroy made a motion to approve as read. Mr. Camp seconded. Motion passed unanimously on a voice vote.

Reports from Public, Press and Ex-Officio Members regarding items scheduled for action.

(No response.)

Items from the Public Hearing:

A. Map Amendment MA #135, application of Central CT Contracting seeking to amend the Southington Inland Wetlands Maps to include the findings of Soil Scientist Cynthia Rabinowitz, property located at the end of Smoron Drive, Map 156, 144 & Parcels 006 and 001.

The Ass't Town Planner noted the applicant's representative is here and the public hearing has been moved on the Agenda to the end.

Inland Wetland/Floodplain Filling Applications:

A. Information/Action - IW #1166/FF #220, application of the Southington Water Department seeking to complete a previously approved water line crossing below the Eight Mile River on Welch Road.

The Ass't Town Planner advised this item has been withdrawn.

B. Information/Action - IW #1161.1 application of Philip Doyle (LADA) seeking to modify an existing approval for storm water improvements at the BJ's site (Spring Street)

Attorney Andrew Denorfia, offices at 133 Main Street, representing the applicant. Here with me tonight is Planner Phil Doyle, Kevin Clarke of Clarke Engineering and George Logan, professional wetland scientist.

We're here tonight seeking a modification of a previously approved application for the BJs Wholesale Club on Spring Street. There has been three commission meetings and one site walk on the application.

At the last meeting, the commission requested we provide information on five items:

(1) Comparison of the impact of the proposed plan versus the previously approved plan. As was stated last meeting, there is no disturbance of the wetlands under the proposed plan.

(2) The commission wanted the site plan to show the impervious areas used in the drainage computations of the pad site.

(3) The commission wanted a permanent easement map to be provided.

(4) Show on the site plan the proposed road to the rear parcel.

(5) The commission wanted the applicant to provide conceptual information of the proposed building envelopes for the rear parcel.

I thank the commission for working with us on this modification and we're here to provide the requested information.

With that, I'll turn it over to Phil Doyle to present the information.

(The Ass't Planner left the room to go and get the plans submitted.)

(Pause)

Mr. Doyle began by turning to the utility plan which shows all the grading as well as the upland review area. We've been using plan for most of the presentations.

He referred to the paved drive that shows on the utility plan. Originally, we had talked about creating a gravel area for the extension of the future road to the rear. You had asked us to show that as a proved road section to the rear. We agreed to do that and it shows on the plan. We show the storm water treatment that would be associated with that section of the road that would extend downhill away from the development.

The reason you wanted us to show that was so that once this was established we would not be coming back for a series of additional permits over time saying we have to move it or adjust it. This would be approved and built and completed with no need for additional incremental disturbance or permits.

Discussion.

At the previous meeting, we had also shown an easement area. There was a question regarding access to the rear and whether there will be cross easements. We have prepared a plan that graphically represents the cross easements.

He explained the cross easement area would extend in along the driveway and then down along the bed of the road and it would be defined by the pavement area.

Discussion.

A separate lease map is being prepared by the surveyor and this map has been given to him. The tenant will control the area where the building and parking exists and will also control where the gas station will be. The property owner maintains all of the access parcel and there are cross easements granted back and forth. This is part of the lease agreement.

Another piece of information you had asked for and this relates to the drainage calculations that Kevin Clarke had prepared. A question raised previously related to the sizing of the storm water basin. The question was do the drainage calculations support the

detention basin that we are proposing, calling it Basin A, which is the only basin now we're proposing on the property. (Indicating) Is that sufficiently large so that should anything in the future be proposed on the parcel which would sit up towards Spring Street, is that sufficient so that there would never be an issue in terms of storm water detention, storm water quality or coming back to this agency for additional approvals for some change in the approvals that you are not aware of at this point.

We took a look at that parcel --- again, we are not making an application for anything on that parcel and it is to remain at this point undeveloped and it is not subject to an application we are making to you or to zoning -- if I follow the zoning statutes, what could I put there? That calculated out to about 60% or so of that area as impervious surface. Kevin in terms of drainage calculations assumed that this area in the future, for conservative purposes, would be 80 to 85% impervious surface. So, we believe that --- even though we don't believe it would be possible to do that -- we have tried to be overly conservative in the assumptions for storm water basins so that we would not have to return to the agency for any additional permitting.

There is a new data table which is on the L-2 drawing that has the computations for both zoning and the inland wetland disturbances. Mr. Doyle prepared a comparison between what was approved and what the amendment will propose. He went over each item.

From our point of view, the mitigating reasonable reason for you to consider our request would be that previously we had presented options to gain access to the rear. All previous options would require us to have some significant actual wetland disturbance. So we believe this is the most reasonable, practical and prudent way to continue to access the rear and not have to disturb any wetland.

The fifth piece we are looking at is last month we presented a drawing that contained two development scenarios. One was an aggressive scenario and a less aggressive scenario. We broke them apart to accurately be able to describe them.

The more conservative scenario was described. We looked at the 37 acres of land and the general features of the property.

Explained.

He pointed out an area, shaded in dark green, if you took that entire zone and said as a relatively conservative approach that there are wetlands and there is a 50 foot upland review area around those and there would be no disturbance to the upland review area and I also assume there is no disturbance to any areas that may be below the FEMA floodplain elevation (indicating) and if I discount all wetlands, what can I expect for zoning coverage. It would appear that about 150,000 square feet would be possible to be developed in a single story fashion with the appropriate amount of parking.

We've shown the land of Twinco and the Senco land is to the rear which is 37 acres. We've discounted the land within the panhandle lot. We've discounted the wetlands, all the area of the Quinnipiac River, the upland review areas, the vernal pool area around vernal pool four, and the floodplains. We've ended up with about 13.9 acres that may be developable (indicating).

Discussion.

The less conservative approach plan was discussed. We ended up with about 242,000 square feet of potential building, but that also makes assumptions we can do things within the floodplains, i.e.: parking. It's a more aggressive look at it. That was presented last month.

Access is important. My client owns both land corporations and has only one means of access. That is along this old historic road. Even though the land pan handle is here, we don't want to particularly come in that way. At the moment we don't have any other means of access than the road.

Discussion.

The question for George Logan is, when we look at the development of this property, is there any connection here between this piece and that piece or are they separate. George has related to me that they are separate. There isn't a nexus between the two.

Discussion.

Discussion of access road being the only way of access for construction equipment, et cetera, for development of that back parcel.

(End of Tape #1, Side A)

(Beginning of Tape #1, Side B)

Question regarding storm basin A being able to handle all storm water in this application.

Extensive discussion.

Kevin Clarke, Clark Engineering. The last time I was here I discussed the storm water management system and BMPs. As far as the design used to size the volume of the basin and also the BMP sizing so that we met the water quality standards, we used the front pad as being about 81% impervious. When you take a look at an actual real development, the total impervious area is somewhere around 60%. What that means is that we have got additional storm water treatment capability built in to the system and we've also got a little extra volume. Extra space there.

Discussion.

Basin A is designed to take the entire site as shown on the site plan plus the development of that front area of 81% impervious area.

All of the storm water management system is designed and based on that.

Mr. Lavallee asked: If you look at the existing pond just to the west, the area that's being treated, treated for the driveway and the property line has there any thought been given to pitching that back from the curb back so you don't need to clear cut that whole area? Pitch it into the swale or into the basin itself, avoiding all that area? I would rather see the shade value of that pond kept.

Discussion.

Mr. Clarke thought they might be able to pitch the road back to a certain extent into the swale.

Discussion.

Mr. Borowy commented on the grading where you don't have to go on the connecting property, I think it would be a big concession by this commission and I hope it's appreciated by the applicant that we are now allowing you to direct traffic directly into the upland review of the new vernal pool admittedly the applicant himself found. We realize that's a lot better situation I suppose than using the peninsula, the bottom frontage area that you already have as a potential roadway. We understand that.

I myself as a commissioner am accepting of that trade off. A much more controlled access versus right through the wetlands with whatever kind of losses that would entail. On that point I am in favor of this application.

I think we want to ask that your two representations of the back development ought to be made a part of this document and document our consideration on that aspect. I've noticed that the presentations were saw were explicitly said to not be part of the application. I think I'd like to ask that they be included in there.

Another positive thing about the application is the fact that the new vernal pool was discovered. That's 10% more area of concern for us with minimal damage into it. That's a good thing.

Finally, I guess, is there some way we could use the representation that they've given us of the front property and the drainage as being a control. I know is 81% versus 61% of impervious surface for that front lot.

The Chair noted we are looking at this as an entire application. Which includes the storm water reviews and the questions that I've asked. So I don't understand - I would think that by us asking that to be added, as a contingency amount of impervious coverage, is fair. We need to approve something with some legitimacy. There is no legitimacy to it by just basically stating that it could be 60% impervious. I understand this is overdesigned.

Mr. Doyle advised they have no problem with attaching that plan. The drainage calculations testimony made is indicated and is part of the record. That particular plan can be attached. There is no issue with that. We are not seeking approval for it. That's fine with us.

Discussion.

Attorney Denorfia said his confusion is we are kind of in a little bit of a limbo. We understand what you are looking for. The concern is down the road where this commission's members may or may not be there, but if we come in later on with a specific application, somebody's going to pull this out and say well, look, this doesn't meet exactly what you said. It's just a slippery slope that we're kind of going on. We understand it's been represented. The issue is how do you attach it and what weight does it actually have. It's a conceptual plan.

Mr. Conroy said the reason we asked for this as a phased development for the commission to understand what the impacts are of the full development. First of all, it's a commonly owned parcel and both parcels are part of the application. It's clear from the record the plan contingent is to further develop that parcel. Whatever it may be. I think it's important for the commission to understand what the impacts of that full build, whether it be today or down the road, is to the resources on the site. By the site I mean both subdivided parcels.

Now as mitigation for the first parcel, as part of the alternatives now, the commission has somewhat endorsed the access road as currently shown on the front parcel. And, we have asked that be granted as a perpetual easement to the rear parcel to insure that that alternative remains as the rear parcel is developed.

With respect to the drainage on the front parcel, obviously, the intention was always to provide an additional development on the front parcel. It was part of the original application, it fell off for a bit, and now it's returned. It's important for the commission to understand what the impervious impact of that particular parcel is and its effect on the drainage system.

The representatives have done a good job of detailing that to us in this latest round of comments and we appreciate that. I think it might be appropriate as a condition of approval to limit the impervious area on the front parcel to the plans shown or to the capacity of the basin as shown. It think it would be fair to condition as the limit of impervious area for that particular parcel.

With respect to the parcels in the back, because this is a phased project and it's important for us to understand this, we asked for information with respect to the hydraulic connections between the two parcels and you've granted us that. I had not previously seen what the resources were on that site until we asked for it. I think it was

probably appropriate that they would have been included as part of the initial application. But we do have them now.

I would feel more comfortable if we could not necessarily limit the develop envelope but I know I would feel more comfortable if the area on the west there was granted a conservation easement. It's clearly not something that can be developed. I would think that that would be - the other resources on the eastern part of the site, I think require a more detailed plan and analysis. That would be something more appropriate for an individual application or a revised application for that development.

I think if we knew that we could preserve that chunk on the western side, I think that would be sufficient to insure that whatever the ultimate impact of development are, that we're comfortable that they're not going to be excessive. I would offer that as a suggestion.

I think the western parcel is not developable from a wetland resources point and just to codify that as mitigation for development on the front. I think that's reasonable.

Extensive discussion on the request for a conservation easement.

George Logan explained the mapping delineations.
Discussion.

FEMA mapping was discussed.

More discussion on the conservation easement and the development area on that western piece as that is a very valuable resource and should be protected as mitigation.

Attorney Denorfia stated for clarification on the record, it is not common ownership. The front and the back are owned by two different legal entities. Different name, different ownership and different controlling interests.

Attorney Denorfia called it a very dangerous line of what you are allowed to do and what you are making your decision based on versus putting a restriction on a property that you can deal with when an actual proposal is brought to your attention with numbers, actual disturbances. You are basing this on a potential that you asked for. That was our concern and that is what I've had discussion with the Town Attorney on. This seems a little bit out of your purview. I understand what you are allowed to do and making a decision based on a building envelope helps you make a decision on the front. But to put a restriction on the property in the back - if there was mitigation, maybe. But there's no mitigation. You are putting an easement on a rear parcel with no actual disturbance.

(Pause)

Mr. Conroy said as a phased project without seeing the second phase, I don't know how we're supposed to evaluate it.

Discussion.

Mr. Clarke said a great amount of technical information has been provided stating how we're going to manage the storm water and prevent adverse impacts to the wetlands. That is based on the site plan which is in front of you right now. We don't know what is going to happen to the rear portion.

The commission has asked for us to show a roadway built up to the property line. There is no specific application for the back.

Mr. Conroy said his point is that you've proposed a roadway to access the rear parcel. That activity is directly to a future activity that is regulated.

Mr. Clarke pointed out that roadway there is also to access an existing building.

Discussion.

The Chair asked how the commission felt about eliminating the improvement of the access drive.

Discussion.

Mr. Doyle pointed out, after extensive discussion; their intention all along was just merely to maintain the existing access. It wasn't to improve it.

Mr. Conroy spoke in favor of seeing it paved because of access to the rear parcel from the permitted parcel to the back of the parcel. Under the permit you can choose to pave or not pave it. For completeness of the application, we wanted to see what the impacts would be associated with that as a paved road. It is fairly clear that is what is going to happen.

Discussion.

Further discussion of the requested conservation easement. Mr. Doyle said it is something they would prefer not to have to deal with at this point. That might be appropriate for discussion in the future.

The Chair would like to request a conservation on a portion of the plan that we are approving inclusive of the vernal pool, four.

Discussion.

(End of Tape #1, Side B)

(Beginning of Tape #2, Side A)

Discussion further was had on the access and the conservation easement.

Mr. Conroy thanked the applicant for the information and all the work they've done. I would like to see something a little more definitive on the back parcel. I do think that we should show the access as paved only because I think that's something on the front parcel that is important show and be permitted at this time to kind of complete the site plan.

The two recommendations I have for conditions are:

(1) That the defined easement for access to the rear parcel be granted and that be a condition of approval.

(2) The impervious area on the front parcel be limited to the square footage shown in the drainage analysis.

Mr. Borowy concurred with the two stipulations.

Possible stipulations were discussed.

Mr. Sullivan made a motion to approve IW 1161.1 with the conditions. Mr. Camp seconded.

Stipulations:

1. The defined access easement to the westerly Senco parcel shall be executed.
2. Based upon the capacity of the stormwater pond and its treatment capabilities, the impervious area of the remaining pad site in the southeast corner of the Twinco site shall be developed to a maximum of .97 acres of impervious cover.
3. A conservation easement over the wetlands and upland review area on the Twinco Parcel, excluding the areas necessary for construction of the northerly access road to the adjacent parcel to the west, shall be recorded on the land records.
4. The proposed water quality swale intended to treat the runoff from the paved access to the adjacent parcel shall be removed and the associated stormwater is to be directed back into the water quality swale created for the water quality basin.
5. The removal of invasive species from the existing fill piles adjacent to the wetlands shall be performed by hand under the direction of the Environmental Planner.
6. Under the direction of the Environmental Planner, debris removal within the wetlands and upland review area shall be performed on the Twinco site.

Motion passed 7 to 0 on a roll call vote.

C. Information/Action - IW #1170, application of Central CT Contracting, LLC seeking to disturb wetlands and u.r.a. in association with the construction of a sports complex and associated improvements, property located at Smoron Drive and Spring Street.

Stephen Giudice, representing the applicant, presented to the commission. Since our last meeting, we had the site walk. And, we have also received comments from Dave Lavallee and comments from the traffic engineer to the town.

Previously, we had a long discussion about the phased development of this property and requests were made to provide some information on what our proposal was and why we placed the road in the location we placed it.

Prior to the site walk we did submit a map and small drainage booklet which is kind of a preliminary analysis of what we are thinking and why we did it the way we did. This is kind of our best guess as to what we would show when we came back for a subdivision. It's not set in stone and building envelopes may change and the basin may be reconfigured. We have kind of taken a look forward as to where the storm water is going to go and where the areas of development are.

We've tried to be respectful with our layouts. We have a few impacts to upland review areas and we are not really proposing any direct wetland impacts with the proposed development.

Discussion.

The town traffic engineer is requesting an increase to the width of Smoron Drive. There are wetlands on both sides of Smoron Drive. I'm not sure at the moment if I can widen that road without any impact directly to wetland soils. I'll try to work on over the next few weeks.

Discussion of the sewer line location elevations and how the town is going to get across the Quinnipiac River.

As to the diversity data base, from what I can see on the map, I don't believe we fall within that reporting area. We can still submit that request if you think it's necessary.

Cynthia was requested to analyze the two ponds on our site for their value and whether they are vernal pools or not. Her initial feeling is that the pond to the west probably isn't a vernal pool. The one to the east, she thinks it is possible that it could be. Unfortunately, she doesn't think she can make that determination until probably April.

Thus, I would ask you to consider allowing us to move forward with the road and site without that determination. We feel our roadway is substantially as far away from that area as possible. Moving it further south would just create additional wetland impacts.

Discussion.

Mr. Lavallee mentioned to me it was important not to direct any storm water from the road towards the area. We're not proposing to do that with our application. We do have a cross culvert that is to take this drainage area and discharge it to the side of the road. But our storm drainage all comes down to this detention basin.

The proposed roadway is designed to the town's standards for industrial roads - 30 foot wide strip of pavement and 50 foot right of way and we are proposing all standards utilities in a town road constructed to town specifications.

Discussion.

Some discussion took place about the pitch of the pipe at the detention basin - rather steep.

As to other comments received, I don't think I see anything that I do not think we can address. We've just started working on it.

I'll answer any questions.

There was discussion about the wetland encroachment for the roadway.

Discussion about whether there was an alternative roadway alignment that moves or eliminates an impact.

The applicant was asked to consider a conservation easement on the areas outside the proposed development. Just a consideration for the applicant.

Mr. Camp made a motion to table IW 1170. Mr. Sullivan seconded. Motion passed 7 to 0 on a roll call vote.

D. Information/Action IE 1171, application of Dr. Craig Bogdanski seeking to keep processed stone in the upland review area and restore unpermitted disturbance to the site, property located at 825 M&W Turnpike.

Sev Bovino, Planner with Kratzert, Jones represented the application.

There was some stone placed in the back of the building and what we are proposing to do is remove the stone as per the staff comments

and restore the area within the 20 feet area of the vegetative buffer with wetland plantings. The plans are revised to show that.

(Passed around a color map to show that.)

In front of the plantings, we are proposing boulder so in the future there will not be an attempt to push these back again and encroach in the buffer area. Also, we added some additional plantings to what was proposed.

Discussion.

We curbed the arc so that we have that area protected. The stone will be removed and the area will be restored. The area pitches away from the wetlands.

Discussion.

Drainage calculations were submitted and we are proposing a small dry well to catch runoff from the area.

Discussion.

Discussion of proposed stipulation: Remove the stone and just plant grass there.

Mr. Sullivan made a motion to approve IW 1171 with the one noted stipulation. Mr. Camp seconded.

Stipulation: Remove the stone and just plant grass there.

Motion passed 6 to 0 to 1 with Mr. Conroy abstaining.

The Chair recessed the regular meeting at this time to go into public hearing.

(The regular meeting was recessed at 9:20 o'clock, p.m.)

PUBLIC HEARING

The Chair called the recessed public hearing to order at 9:20 o'clock, p.m. with the following in attendance:

The following Commissioners were present, viz:

James Sullivan, Chris Borowy, Ted Cabata, Kevin Conroy & Anne Hulick

Alternates: William Camp
Richard Post

Ex-officio members present were as follows, viz:

David Lavallee, Assistant Town Planner
Louis Martocchio, Assistant Town Attorney

Absent: John DeMello, Commissioner

The Chair seated Mr. Camp for Mr. DeMello this evening. A quorum was determined.

Public Hearing Item:

A. Map Amendment MA #135 - Application of Central CT contracting seeking to amend the Southington Inland Wetlands Maps to include the findings of Soil Scientist Cynthia Rabinowitz, property located at the end of Smoron Drive, Maps 156, 144 and Parcels 006 and 001.

Stephen Giudice, represented the applicant, presented the application. Tonight this application is to amend the official town mapping for the two parcels owned by Rockwood Hills and John Nugent, Esquire, Trustee. This has to do with our site plan for the sports complex.

The wetlands were flagged on site by Cynthia Rabinowitz. My office did a field survey of all the wetlands flags and located them on an A-2 survey.

He explained the difference between what was found in the field and the town mapping as shown on his map. And, the procedure that was followed.

I'll answer any questions.

(Those speaking in favor of the application)

(No response)

(Those speaking in opposition to the application)

(No response)

Mr. Cabata made a motion to table MA #135. Mr. Borowy seconded. Motion passed 7 to 0 on a roll call vote.

(The Chair adjourned the public hearing at 9:25 o'clock, p.m.)

(The Chair resumed the regular meeting at 9:25 o'clock, p.m.)

THERESA ALBANESE, Assuming the Chair:

10. Communications

A. Reports from Public, Press and Ex-Officio members regarding items other than those scheduled for action.

Attorney Martocchio offered a response to Commissioner Conroy's request last week for an opinion. The question was as to whether or not the board can require a conceptual plan on an application indicating incremental future use.

I had opportunity to do research. You were 100% correct. It is not only within the board's discretion, at times it can be required by the board with its fiduciary obligation. The conceptual plan is in reality a true plan that just has not been presented as of yet. The only area that I have found that you as a board have to be careful is you as a board cannot specifically condition a conceptual plan for approval. You could not limit the conceptual plan so he will not go beyond that level.

Discussion.

(End of Tape #2, Side A)

(Beginning of Tape #2, Side B)

Discussion continued regarding the opinion offered.

The commission asked Attorney Martocchio to review further the authority to regulate the upland review area. And, the alternative analysis as to what we can actually request from the applicant regarding access to property adjacent and around the application property to avoid wetland impacts.

Discussion.

11. Conservation Issues/Unfinished Business/Miscellaneous

Mr. Lavallee reported on a letter that was received from property owners on Candlewood Lane. It was responded to by the Town Engineer and the matter is considered closed.

12. Executive Session to Discuss Pending Litigation

The Chair adjourned to executive session excluding the press and public but including Attorney John Nugent to discuss pending litigation regarding the Primus Matter.

(Whereupon, the meeting was adjourned to executive session at 9:37 o'clock, p.m.)

EXECUTIVE SESSION

The Southington Conservation Commission entered executive session immediately following their meeting with the following in attendance in order to discuss pending litigation regarding the Primus matter.

The following were present, viz:

James Sullivan, Chris Borowy, Ted Cabata, Kevin Conroy & Anne Hulick

Alternates: William Camp
 Richard Post

Ex-officio members present were as follows, viz:

David Lavallee, Assistant Town Planner
Louis Martocchio, Assistant Town Attorney
John Nugent, Esquire

No motions were made or votes taken during executive session.

Mr. Camp made a motion to adjourn from executive session. Mr. Conroy seconded. Motion passed unanimously.

(Executive session was adjourned at 10:15 o'clock, p.m.)

REGULAR SESSION

Attorney Nugent was authorized to move forward on the Primus case as directed.

Mr. Conroy made a motion to adjourn the Town Council meeting which was seconded by Mr. Cabata. Motion passed unanimously.

(Meeting was adjourned at 10:16 o'clock, p.m.)

David J. Lavallee
Acting Secretary